

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 38 and 40-44 are pending in the application, with claim 38 being the independent claim. Claims 38 and 40-44 have been allowed. Claims 1, 3, 5-10, 13, 16, 17, 19, 26, 28, 29 and 34-37 have been cancelled without prejudice to or disclaimer of the subject matter therein. Claim 43 has been amended to delete reference to "step a" and "step b" since these terms are not used in the claim, and to refer to the DNA polymerase as "said" polymerase rather than "a" polymerase. Claim 44 has likewise been amended to refer to the polymerase as "said" polymerase. No new matter is added by way of these amendments, and their entry is respectfully requested.

Based on the above amendments and the following remarks, Applicant respectfully requests that the Examiner reconsider and withdraw the outstanding rejections.

I. Claim Rejections Under 35 U.S.C. § 112, Second Paragraph

Claims 1, 3, 5-10, 13, 16, 17, 19, 26, 28, 29 and 34-37 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention (Office Action, page 3.)

Although Applicant does not agree with this characterization, in an earnest effort to advance prosecution of the application, claims 1, 3, 5-10, 13, 16, 17, 19, 26, 28, 29 and 34-37 have been canceled thus obviating this rejection.

Applicant therefore requests that the rejection under 35 U.S.C. § 112, second paragraph, be reconsidered and withdrawn.

II. Claim Rejections Under 35 U.S.C. § 112, First Paragraph

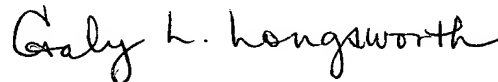
Claims 1, 3, 5-8, 10, 13, 16, 17, 19, 26, 28, 29 and 34-37 were rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention (Office Action, page 4 and 7). Applicant disagrees with this characterization, however, in an earnest effort to advance prosecution of the application, claims 1, 3, 5-8, 10, 13, 16, 17, 19, 26, 28, 29 and 34-37 have been canceled, thus rendering this rejection moot. Applicant therefore requests that the rejection under 35 U.S.C. § 112, first paragraph, be reconsidered and withdrawn.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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